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April 18, 2022

VIA EMAIL

Hon. John G. Koeltl
 United States District Judge
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl St.
 New York, NY 10007

*The April 25, 2022 Conference
 is canceled.*

So ordered.

*John G. Koeltl
 U.S.D.J.*

**Re: Kelly Toys Holdings, LLC v. Dongguan Yikang Plush Toys Co., Ltd. d/b/a
 www.squishmallowss.com
 Case No. 21-cv-8111 (JGK)
Request to Indefinitely Adjourn the April 25, 2022 Conference and File Motion for
 Default Judgment**

Dear Judge Koeltl,

We represent Plaintiff Kelly Toys Holdings, LLC (“Plaintiff”), in the above-referenced matter (the “Action”).¹ Pursuant to Your Honor’s directive on April 14, 2022, the Court scheduled a Pretrial Conference for April 25, 2022 at 11:00 a.m. For the reasons set forth herein, namely that Defendant is in default, Plaintiff respectfully requests that the Court: 1) indefinitely adjourn the April 25, 2022 Pretrial Conference, and 2) allow Plaintiff to move for default judgment and a permanent injunction against Defendant by no later than June 17, 2022.

On September 30, 2021, the Court entered an Order granting Plaintiff’s Application (“TRO”). On October 11, 2021, pursuant to the alternative methods of service authorized by the TRO, Plaintiff served the Summons, Complaint, TRO and all papers filed in support of the Application on Defendant’s email address gradyzvhit27@gmail.com, and on the same day, Plaintiff sent the same document out for delivery via China-based courier service, S.F. EXPRESS (BEIJING CO., LTD.), which service was successfully delivered to Defendant on October 18, 2021. To date, Defendant has failed to file an Answer or otherwise appear in this Action, and is thus in default. Earlier today, Plaintiff filed a Request for Entry of Default and is awaiting the Clerk’s execution. (Dkts. 19, 21). Accordingly, Plaintiff respectfully requests that the Court indefinitely adjourn the April 25, 2022 Pretrial Conference and allow Plaintiff to move for default judgment against Defendant by no later than June 17, 2022.

We thank the Court for its time and attention to this matter.

¹ Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Glossary in Plaintiff’s Complaint or Application.

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Respectfully submitted,

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